

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

EXHIBIT “B”

In re

PHILLIP G. HANNAH

DEBTOR

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Chapter 7

Case No. 19-30502-EDK

NOTICE OF INTENDED PRIVATE SALE OF PROPERTY
SOLICITATION OF COUNTEROFFERS
DEADLINE FOR SUBMITTING OBJECTIONS AND HIGHER OFFERS
AND HEARING DATE

Within fifteen days of the Court’s allowance of the This Motion **IS THE DATE OF THE
PROPOSED SALE**

**JANUARY 20, 2023 at 4:00 p.m. IS THE DATE BY WHICH OBJECTIONS AND/OR
HIGHER OFFERS MUST BE MADE**

Notice is hereby given, pursuant to 11 U.S.C., § 363, Fed. R. Bankr. P. 2002 (a) (2) and 6004, and MLBR Rule 2002-5 and 6004-1, that Gary M. Weiner, the duly appointed Trustee in the above case intends to sell at private sale all of the Debtor's right, title and interest in certain property of the estate.

PROPERTY TO BE SOLD:

A Judgment obtained in the United States Bankruptcy Court, District of Massachusetts, Western Division, Adversary Proceeding No. 19-3040 entered on behalf of Gary M. Weiner, Chapter 7 Trustee for the Estate of Phillip G. Hannah against Bonnie Hannah in the amount of \$33,158.12 (“Judgment”). The Judgment was then domesticated in the Trial Court for the Commonwealth of Massachusetts, Springfield District Court, civil docket no. 2223FJ00002. An Execution in the

amount of \$33,353.12 was then issued by the Springfield District Court. The Execution was then recorded at the Hampden County Registry of Deeds in Book 24759, Page 305 on October 17, 2022 against real property owned by Bonnie Hannah located at 501 Hancock Street, Springfield, Massachusetts.

THE OFFER:

The Trustee has received an offer to purchase Estate's interest in the Judgment for the sum of Eight Thousand and 00/100 dollars (\$8,000.00).

THE PROPOSED BUYER:

The proposed buyer is ETC Cust. FBO 200244748 IRA and/or assignees ("Purchaser").

THE SALE DATE:

The sale shall take place **within fifteen days** of the Court's allowance of the Trustee's Motion for Order Authorizing and Approving Private Sale of Property of the Estate ("Motion to Approve Sale"). The terms of the proposed sale are more particularly described in the Motion to Approve Sale filed with the Court on December 14, 2022.

SALE SUBJECT TO ANY AND ALL LIENS:

There are no liens, claims or encumbrances on the Judgment which is to be sold.

COUNTEROFFERS OR OBJECTIONS:

Any objections to the sale and/or higher offers must be filed in writing with the Clerk, United States Bankruptcy Court at 300 State Street, Suite 220, Springfield, Massachusetts, 01105 on or before **January 20, 2023 at 4:00 p.m.** (the "Objection Deadline"). A copy of the objection or higher offer shall be served upon the undersigned, as well as to ETC Cust. FBO 200244748 IRA, 10175 Fortune Parkway, Suite 101, Jacksonville, Florida 32256 c/o John Palumbo. Any objection to the sale must state with particularity the grounds for the objection and why the intended sale should not be authorized. Any objection to the sale shall be governed by Fed. R. Bankr.P. 9014.

Through this Notice, higher offers for the Property are hereby solicited. Any higher offer must be no less than \$8,400.00 and accompanied by a deposit of \$840.00 in the form of a certified or bank check made payable to the undersigned. Higher offers must be on the same terms and conditions noted herein.

HEARING:

A hearing on the Motion to Approve Sale, objections or higher offers is scheduled to take place on **January 26, 2023 at 12:30 p.m.** before the Honorable Elizabeth D. Katz, United States Bankruptcy Judge, at the United States Bankruptcy Court, 300 State Street, Berkshire Courtroom, Springfield, Massachusetts 01105. Any party who has filed an objection or higher offer is expected to be present at the hearing, failing which the objection may be overruled or the higher offer stricken.

The Court may take evidence at any hearing on approval of the sale to resolve issues of fact. If no objection to the Motion to Approve Sale or higher offer is timely filed, the Court, in its discretion, may cancel the scheduled hearing and approve the sale without hearing.

At the hearing on the sale the Court may 1) consider any requests to strike a higher offer, 2) determine further terms and conditions of the sale, 3) determine the requirements for further competitive bidding and 4) require one or more rounds of sealed or open bids from the original offeror and any other qualifying offeror.

DEPOSIT:

A deposit will be forfeited to the estate if the successful purchaser fails to complete the sale by the date ordered by the Court. If the sale is not completed by the buyer approved by the Court, the Court, without further hearing, may approve the sale of the Property to the next highest bidder. Any questions concerning the intended sale shall be addressed to the undersigned.

GARY M. WEINER, Esq. Trustee for the
Estate of Phillip G. Hannah
By and through his counsel,

/s/ Gary M. Weiner

Gary M. Weiner, Esq. BBO# 548341

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Date: December 14, 2022